

REMARKS

The Applicants respectfully request further examination and consideration of the claims in view of the above amendments and the arguments set forth fully below. Claims 1-20 were pending in this application. Within the Office Action, Claims 1, 2, 7 and 8 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,643,981 which issued February 7, 1987 to Card (hereinafter Card). Claims 3-6 and 19 stand rejected under 35 U.S.C. §103(a) as being anticipated by Card in view of U.S. Patent No. 5,636,233 which issued June 3, 1997 to Levinson (hereinafter Levinson). Claim 9 stands rejected under 35 U.S.C. §103(a) as being anticipated by Card in view of U.S. Patent No. 4,909,932 which issued May 20, 1990 to Monnet (hereinafter Monnet). Claims 11-20 are allowed. No claims are withdrawn or cancelled by this response. Accordingly, Claims 1-20 remain pending in this application.

Rejection of Claims 1, 2, 7 and 8 Under 35 U.S.C. § 102(b)

Within the Office Action Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Card. The Applicant respectfully traverses this rejection.

The present invention is directed to a press filter for use in a vessel to separate infusion material from an infused liquid. The vessel has a cross-section dimension which varies according to the distance from the opening such that the vessel has a plurality of dimensions. **The filter is configured to maintain contact with the interior of the vessel for each of the plurality of dimensions.** A plunger element is configured for pushing the compressible filter membrane through the vessel from the proximal end substantially to the distal end.. One thing the present invention can accomplish is to allow one to make a pressed cup of coffee in a conventional conical paper cup.

Card teaches a press and filter assembly for use in a vessel with a sandwich of two semi rigid layers 18 and 20 with a filter 17 mounted therebetween. In contrast, independent claims 1 and 7 are amended to include a filter membrane with a compressible support mounted over the filter membrane. No compressible sandwich is claimed. For at least these reasons, claims 1 and 7 are allowable over the cited prior art including Levinson.

Claims 2-6 depend from allowable claim 1. As such, claims 2-6 are also in a condition for allowance. Claims 8-10 depend from allowable claim 7. As such, claims 8-10 are also in a condition for allowance.

Allowed Claims The Applicant gratefully acknowledges that claims 11-20 are in a condition for allowance.

For the reasons given above, the Applicants respectfully submit that the Claims 1-20 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 5-8-06

By: 

Thomas B. Haverstock
Reg. No. 32,572
Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP

Date: 5-8-06

By: 